

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

INDUSTRIAL TRANSPORT  
SERVICES, LLC,

Plaintiff,

Case No. 3:12-cv-142

vs.

GEMINI TRANSPORT, LLC, *et al.*,

Magistrate Judge Michael J. Newman  
(Consent Case)

Defendants.

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**ORDER OF DISMISSAL; TERMINATION ENTRY**

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The Court, having been advised that the above-captioned matter has been settled, **IT IS ORDERED** that this action is hereby **DISMISSED**, with prejudice as to all parties, provided that any of the parties may, upon good cause shown within forty-five (45) days, reopen the action if settlement is not consummated. Within forty-five (45) days, the parties may move to substitute this Order and Entry with a proposed dismissal entry agreed upon by the parties.

Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 381-82 (1994), and incorporate appropriate language in any substituted judgment entry. The Court will retain jurisdiction to enforce the terms of the settlement, if necessary.

**IT IS SO ORDERED.**

Date: July 6, 2017

s/ Michael J. Newman  
Michael J. Newman  
United States Magistrate Judge